NEBRASKA DEPARTMENT OF INSURANCE

BEFORE THE DEPARTMENT OF INSURANCE STATE OF NEBRASKA

SEP 17 2004

FILED

STATE OF NEBRASKA DEPARTMENT OF INSURANCE,)	CONSENT ORDER
PETITIONER,)	
VS.)	CALIGENO A 1596
Edward Schoof,)	CAUSE NO. A-1586 Sep 09, 2004 ACCT# 8521 \$500.00
RESPONDENT.)	NO-INVOICE TRAN # 1358866 SCHOOF, EDWARD EUGENE CHECK# 4632

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its representative, Eric Dunning, and Edward Schoof, ("Respondent"), mutually stipulate and agree as follows:

JURISDICTION

- 1. The Department has jurisdiction over the subject matter and Respondent pursuant to Neb.Rev.Stat. §44-101.01 and §44-4047, et seq.
- 2. Respondent was held a suspended insurance producer license under the laws of Nebraska at all times material hereto.

STIPULATIONS OF FACT

- 1. The Department initiated this administrative proceeding by filing a petition styled State of Nebraska Department of Insurance vs. Edward Schoof, on August 18, 2004. A copy of the petition was served upon the Respondent at the Respondent's business address registered with the Department by certified mail, return receipt requested.
- 2. The petition alleges that Respondent violated Neb.Rev.Stat. § 44-4059 (1)(b) as a result of the following conduct:

- a. On or about December 30, 2003, the Department of Insurance sent a letter to Respondent at Respondent's registered business address by First Class United States Mail regarding a complaint filed by Ralph McLaughlin. This letter informed Respondent that a response must be made within fifteen days. This letter was not returned to the Department of Insurance by the United States Postal Service. Respondent failed to respond to this letter until February 12, 2004.
- b. During the first two weeks of August 2003, Ralph McLaughlin submitted a third party claim against Linda Loontjer to Edward Schoof, Linda Loontjer's insurance producer. Edward Schoof did not notify the insurer of this claim.
- 3. The Respondent was informed of his right to a public hearing. Respondent waives that right, and enters into this Consent Order freely and voluntarily. Respondent understands and acknowledges that by waiving his right to a public hearing, Respondent also waives his right to confrontation of witnesses, production of evidence, and judicial review.
 - 4. Respondent admits the allegation restated in Paragraph 2 (a) above.

CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes a violation of Neb.Rev.Stat. §44-4059 (1) and 44-1525 (11).

CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed to by Respondent that Respondent shall pay an administrative fine of five hundred dollars on or before fifteen (15) days from the date on which the Director signs this Consent Order. In the event that respondent fails to pay the administrative fine on or before fifteen (15) days from the date the director signs this Consent Order, Respondent agrees that Respondent's insurance producer license shall be suspended until such time that Respondent pay the administrative fine. The Nebraska Department of Insurance shall retain jurisdiction of this matter for the purpose of enabling the Respondent or the Department to make application for such further orders as may be necessary.

In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing his or her signature below.

Representative for Nebraska	Edward C Schorf	
Department of Insurance	Respondent	
941 "O" Street, Suite 400	9-8-2004	
Lincoln, Nebraska 68508	Date	
·	Date	
(402) 471-2201		
8/27/04 Date	Attorney for Respondent	
	Date	
1		
State of Nebraska) ss.		
County of houser)		
0, 0	d Schoof personally appeared before me	
and read this Consent Order, executed the same and acknowledged the same to be his voluntary act		
and deed.	2 / 1	
GENERAL NOTARY - State of Nebraska THE LINDA K. FANGMEYER WAS STATE OF THE PROPERTY OF THE P	nde Kangmeyer	

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the

Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance vs. Edward Schoof.

STATE OF NEBRASKA DEPARTMENT OF INSURANCE

L. TIM WAGNER

Director of Insurance

Fracy a. Stuhn

Date

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Consent Order was served upon the Respondent by sending a copy to Respondent at his business address as registered with the Department of Insurance via certified mail, return receipt requested on this day of September 2004.